

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA 08 MJ 8218

UNITED STATES OF AMERICA,

Plaintiff,

v.

Miguel Angel RODRÍGUEZ-Acosta,

Defendant.

Magistrate Case No.:

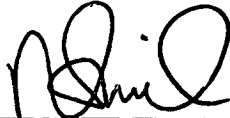
COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

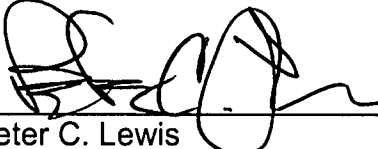
The undersigned complainant being duly sworn states:

On or about March 11, 2008, within the Southern District of California, defendant Miguel Angel RODRÍGUEZ-Acosta did knowingly and intentionally import approximately 19.84 kilograms (43.64 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Rafael Silva, Special Agent
Immigration and Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 12th
DAY OF MARCH 2008.


Peter C. Lewis
U. S. MAGISTRATE JUDGE

1 **UNITED STATES OF AMERICA**

2 **v.**

3 **Miguel Angel RODRÍGUEZ-Acosta**

4 **STATEMENT OF FACTS**

5 This statement of facts is based on the reports, documents, and notes
6 furnished to Immigration and Customs Enforcement Special Agent Rafael Silva

7 On March 11, 2008, at approximately 2108 hours, Miguel Angel RODRÍGUEZ-
8 Acosta entered the United States at the Calexico, California, East Port of Entry.
9 RODRÍGUEZ was the driver and sole occupant of a 2005 Ford F-150.

10 CBP Canine Enforcement Officer Jones was conducting a pre-primary roving
11 operation with his assigned dog, when the dog alerted to the spare tire of the vehicle
12 RODRIGUEZ was driving. CBP Officer Leon escorted RODRIGUEZ to the vehicle
13 secondary inspection area.

14 In Secondary inspection, CBP Officer Medina took over the inspection. CBP
15 Officer Medina received a negative declaration from RODRIGUEZ. RODRÍGUEZ
16 stated he was returning home from Mexicali where he had been playing tennis. During
17 his inspection CBP Officer Medina found packages concealed inside the spare tire.

18 A subsequent inspection of the vehicle revealed twenty (20) packages concealed
19 inside the spare tire. CBP Officer Medina probed one of the packages and a sample of
20 a green leafy substance was obtained, which field tested positive for marijuana. The 20
21 packages had a combined weight of approximately 19.84 kilograms (43.64 pounds).

22 RODRÍGUEZ was placed under arrest and advised of his rights per Miranda,
23 which he acknowledged and waived, agreeing to answer questions. RODRÍGUEZ
24 stated to Special Agent (S/A) Silva he did not know the vehicle contained drugs.
25 RODRÍGUEZ also said the vehicle is under his father's name but he is the one that
26 drives it most of the time. RODRÍGUEZ stated to S/A Silva he works with his father as
27 a truck driver. S/A Silva then met with RODRIGUEZ'S mother who stated RODRÍGUEZ
28 has not worked with his father for almost one year because they don't talk to each
29 other.